GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Panchayat Raj and Rural Development Department - Sri D. Rambabu, Mandal Parishad Development Officer and worked as District Panchayat Officer, Guntur - Departmental Proceedings under Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charges - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.V) DEPARTMENT

G.O.RT.No. 601 **Dated: 27-10-2020**

Read:-

From the Commissioner, PR&RD, e-office file Computer No.1155591, dated 05-06-2020 along with report of District Collector, Guntur, Lr.No.2140/2020-H7, dated 31-05-2020.

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O R D E R:-

It is proposed to hold an enquiry against Sri D. Rambabu, Mandal Parishad Development Officer and worked as District Panchayat Officer, Guntur Dist., in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure- I). A statement of imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri D. Rambabu, Mandal Parishad Development Officer and worked as District Panchayat Officer, Guntur Dist., is directed to submit, a written statement of his defence within 15 days, from the date of receipt of this order.

4. Sri D. Rambabu, Mandal Parishad Development Officer and worked as District Panchayat Officer, Guntur Dist., is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri D. Rambabu, Mandal Parishad Development Officer and worked as District Panchayat Officer, Guntur Dist., is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above further action will be processed based on the material available.

6. Attention of Sri D. Rambabu, Mandal Parishad Development Officer and worked as District Panchayat Officer, Guntur Dist., is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri D. Rambabu, Mandal Parishad Development Officer and worked as District Panchayat Officer, Guntur Dist. is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(contd. P.2)

7. The receipt of the G.O. may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri D. Rambabu, Mandal Parishad Development Officer and worked as
District Panchayat Officer, Guntur (U/s) through the District Collector, Guntur.
Copy to:-
The Commissioner Panchayat Raj &Rural Development, AP,
Tadepalli, Guntur District.
The District Collector, Guntur - with a request to serve the same to the individual
and submit served copy to Govt., immediately.
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI D. RAMBABU, DISTRICT PANCHAYAT OFFICER, GUNTUR, (NOW UNDER SUSPENSION)

Article of Charge- I : That, the said Sri D. Rambabu, District Panchayat Officer, Guntur being a responsible Government Servant has acted in an irresponsible manner by circulating note file to the District Collector for procuring sanitary material duly placing indent himself without having any indents from the requisitioned officers i.e., E.O.P.R&R.D.s of concerned Mandals. Therefore, he violated Rule-3 of APCS (Conduct) Rules, 1964.

Article of Charge- II : That, the said Sri D. Rambabu, District Panchayat Officer, Guntur being a responsible Government Servant has mislead the higher authorities by circulating the file to the District Collector for orders on procurement of Calcium Hydroxide with phenyl from Delight Chemicals Pvt. Ltd., without answering Collector's query/remarks, dated:06.04.2020 and thereon, proceedings were issued to M/s. Delight Chemicals, Piduguralla by District Panchayat Officer on 13.04.2020 i.e., in his own capacity; and letter was addressed to the firm without mentioning quantity to be supplied by the firm and tentative indent was issued by District Panchayat Officer himself without note approval of the District Collector. Thus, he exceeded his jurisdiction while discharging legitimate duties. Therefore, he violated Rule-3 of APCS (Conduct) Rules, 1964.

Article of Charge- III : That, the said Sri D. Rambabu, District Panchayat Officer, Guntur being a responsible Government Servant, caused for supply of other brands of powders like Aquafit bleaching powder, Nandini bleaching powder, Camel brand stable bleaching powder, Lion bleaching powder and Acquafit (Lite Granules) in collusion with private person with malafide intention, though note was circulated to the District Collector for procurement of Calcium Hydroxide with phenyl from Delight Chemicals, Piduguralla and that too without answering Collector's query/remarks; he himself has issued orders to M/s. Delight Chemicals, Piduguralla independently. Therefore, he violated Rule-3 of APCS(Conduct) Rules, 1964.

Article of Charge- IV : That, the said Sri D. Rambabu, District Panchayat Officer, Guntur being a responsible Government Servant in collusion with private person one Sri Mallareddy with malafide intention has arranged on his own supplied Nandi branch bleaching powder, Sodium Hypochlorite liquid, Anisha brand stable bleaching powder to Narasaraopet and Tenali Mandals, for which orders were not obtained from the District Collector. One Sri Mallareddy has supplied Nandi brand bleaching powder, Sodium Hypochlorite liquid, Camel bleaching powder etc., to many of the Mandals without any indent/work orders and he did not provide any bills to the MPDOs concerned. Therefore, he violated Rule-3 of APCS (Conduct) Rules, 1964.

Article of Charge- V : That, the said Sri D. Rambabu, District Panchayat Officer, Guntur being a responsible Government Servant has not taken necessary precautions in providing good quality of sanitation material and responsible for supply of substandard sanitation material in the virus containment operations, which lead health hazardness of public and their safety during the COVID-19 pandemic and caused wide spread of the virus and thereby violated Sec.53, 55 under Disaster Management Act, 2005.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATIONS IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI D.RAMBABU, DISTRICT PANCHAYAT OFFICER, GUNTUR (NOW UNDER SUSPENSION)

An adverse news items have been published on 09.05.2020, 10.05.2020, 12.05.2020 & 13.05.2020 in district edition of Daily News papers stating that one Senior Officer from Panchayat Department involved in purchase of bleaching powder by making phone call and pressurizing the field level functionaries for purchase of inferior quality of bleaching powder instead of ISI certified company bleaching powder and the same has been supplied to many Gram Panchayats in the district. Further published that the major irregularities happened by compromising the public health in selection of qualitative bleaching which is very essential for sanitation and containment of spread of CORONA virus.

On the adverse item an Enquiry Committee was constituted with the following officers to conduct a detailed enquiry and to submit report :

1. Smt. D. Manorama, Special Deputy Collector, DPM (DM), Guntur.
2. Sri A.V. Patel, General Manager, Industries, Guntur.
3. Sri N.V. Sainadh, Environmental Engineer, Pollution Control Board, Guntur.

Accordingly, the Enquiry Committee has conducted enquiry and submitted a detailed preliminary enquiry report with the following findings:

I. From the file of the District Panchayat Officer, it is found that after obtaining note approval of the District Collector on 06.04.2020, for purchase of 60 M.Ts., of Calcium Hypochlorite Granules from M/s.Rayalaseema Histrength Hypolink, Kurnool, to disinfect the G.Ps and Mandals during COVID-19, an amount of Rs.61,50,000/- was decided to be taken from DPRC funds subject to reimbursement vide circular dated.22.04.2020. All the Panchayat Secretaries were instructed through Extension Officers to remit the amount towards Calcium Hypochlorite Granules as well as Calcium Hydroxide with Pine Oil to the account number as mentioned by the head office. Actually account number was not mentioned in the circular dated 22.04.2020.

Later on 05.05.2020 two circulars were issued by the DPO instructing:

a. Extension Officers to monitor the remittance of the cost of the stock of Calcium Hydroxide with Pine Oil received by each G.P., to the account of M/s. Delight Chemicals Pvt. Ltd., Piduguralla and

b. Extension Officers to pursue with the Panchayat Secretaries and see that the cost of Calcium Hypochlorite Granules received by them is transferred to A/c.No.36023251850 of District Panchayat Officer, SBI (Vendor Code 807300) so as to reimburse to DPRC Rs.61,50,000/- obtained from DPRC. Since it is an official account, the allegation raised in the news items that with malafide intention, instructions were issued to deposit amount in a particular account number is not correct.

II. In the entire file of the District Panchayat Officer, indent for supply of “stable bleaching powder” by DPO is not placed with any firm. Note file was circulated for procuring Calcium Hydroxide with Pine Oil from Delight Chemicals Pvt. Ltd., and indent was placed for it by District Panchayat Officer himself, instead of E.O., PRs of Mandal Officer letter of the firm said to be dated 04.04.2020 is not found in the file. Without answering Collector’s query, dated 06.04.2020 proceedings were issued by District Panchayat Officer on 13.04.2020. Letter was addressed to the firm without mentioning

quantify to be supplied by the firm. Tentative indent was issued by District Panchayat Officer himself without note approval and covering letter.

During visit to the Mandals by the Enquiry Committee, many bags of Nandi brand, Camel brand etc., with labels of bleaching powder were found in Panchayat Offices at Kolakalur, Ravipadu of Narasaraopet, Pedakancherla of Machavaram. The staff in the above offices have orally informed that the above brands were supplied by the District Panchayat Officer from Guntur directly.

Sample of powders meant to use for disinfection were collected from Gram Panchayat Offices at Nambur, Kolakalur, Ravipadu of Narasaraopet, Pedakancherla of Machavaram and from Delight Company office at Piduguralla and sent for lab testing :

Sl. No.	Lab. No.	Sample collected	Brand Name	Percentage of available chlorine
1	12773	Bleaching powder – at Grampanchayat, Nambur-1, Guntur District	Aqua Fit Bleaching powder	48.92%
2	12774	Bleaching powder – at Gramapanchayat, Nambur-1, Guntur District	Delight Surya Disinfectant powder	1.13%
3	12791	Bleaching powder – at Gramapanchayat, Kolakalur, Guntur District	Nandi Bleaching powder	6.38%
4	12792	Bleaching powder – at Gramapanchayat, Ravipadu, Narasaraopet (M), Guntur District	Lion Brand stable bleaching powder	34.03%
5	12793	Bleaching powder – at Gramapanchayat, Pedakancherla, Guntur District	Delight Surya Disinfectant powder	1.41%
6	12794	Bleaching powder – at Gramapanchayat, Pedakancherla, Guntur District	Nandi Bleaching powder	6.38%
7	12798	Bleaching powder – at Gramapanchayat, Machavaram (v), Guntur District	Camel brand stable bleaching powder	1.70%
8	12799	Bleaching powder – at Gramapanchayat, Machavaram (v), Guntur District	Aqua (Lite Granules)	62.39%
9	12931	Bleaching powder – at Delights Chemicals Pvt. Ltd., Piduguralla, Guntur District	Surya Disinfectant powder	Nil (“0” percentage)
10	12932	Bleaching powder – at Delights Chemicals Pvt. Ltd., Piduguralla, Guntur District	Surya Disinfectant powder	Nil (“0” percentage)

Lab reports of the samples dt.22.05.2020 reveals that the percentage of chlorine in the so called bleaching powder of Nandi Brand, Camel Brand etc., is very low.

It is clear that note orders of the District Collector were obtained by the DPO for purchasing Calcium Hypochlorite Granules from Rayalaseema Hypolink, Kurnool. Note was circulated regarding procurement of Calcium Hydroxide with Pine Oil from Delight Chemicals, Piduguralla without answering Collector’s query / remarks; but, proceedings were issued to M/s.Delight Chemicals, Piduguralla by the DPO. But, in the above mentioned Gram Panchayat offices other brands of powders like Aquafit bleaching powder, Nandini bleaching powder, Camel brand stable bleaching powder, Lion bleaching powder and Acquafit (Lite Granules) were found in bags.

To know how these products are ordered and obtained by those Gram Panchayats, all the three DLPOs were sent a format to submit the particulars from all G.Ps under their jurisdiction. Reports are awaited. Percentage of chlorine in the so called bleaching powders of other brands like Nandi, Camel is very less. In the samples of Rayalaseema Histrength Hypolink, Kurnool chlorine percentage is 62.39% and 48.92%.

To establish ground reality the MPDOs, EO, PR and Panchayat Secretary of Tenali, Pedakakani, Narasaraopet, Machavaram and Vinukonda were called for to attend before enquiry committee. All of officers have attended and filed their written statements on 24.05.2020.

1. MPDO, Tenali informed in the statement that on 10.04.2020, she found a loaded lorry at her office. On enquiry, lorry driver informed her that the stock was sent from DPO's Office, Guntur for delivery at Tenali MPDO's Office. Bills were not issued for the stock. Nandi Brand bleaching powder-150, Lime – 300 bags, Sodium Hypochlorite – 6 cans (items supplied to Kolakalur Panchayat).

2. MPDO, Machavaram informed that he received a phone call from one supplier named Mallareddy, who told that he supplied sanitation material to all Panchayats in the district and that he is ready to supply same materials if any required to meet disinfection needs due to COVID-19. As there is a dire need for sanitation items due to prevailing outbreak of corona virus and shortage due to lockdown he agreed to Mallareddy's proposal and got supply of

   Lime – 75 bags,
   Camel brand bleaching – 40 bags,
   Phenyl – 30 lts,
   Sodium Hypochlorite – 40 lts (Machavaram Panchayat)

3. EO, PR and FAC MPDO, Vinukonda in his statement informed that one Mallareddy approached him in his office and offer to supply sanitation material at the rates fixed by Government. Due to urgency, his offer was accepted and got supply of

   Nandi brand bleaching powder – 325 bags @ Rs.25 kg.
   Lime – 650 bags @ Rs.40 kg.
   Sodium Hypochlorite – 1200 lts.
   Phenyl – 375 lts.
   Power sprayers – 15 Nos. (Vinukonda)

   Vinukonda Panchayat Secretaries informed that public complained against low quality of bleaching powder. Immediately usage of bleaching powder was stopped in Vinukonda Mandal. Bills were not given by the supplier.

4. MPDO & EO, PR&RD of Narasaraopet Mandal stated that to keep stock of sanitation material for the coming three months, they made a requisition with the District Panchayat Office and on 04.04.2020 two loaded lorries containing Anisha branch stable bleaching powder Mfd. Rayalaseema Histrength Hypo Ltd., Kurnool – 500 bags, Lime – 600 bags and Sodium Hypochlorite liquid – 21 cans were sent to his office. Driver of the lorry informed that the stock was sent by the District Panchayat Officer from

Head office. Later he received Acqua fit Granules – 40 bags from DLPO office. Bills were not given after unloading of stock.

5. EO,PR&RD of Pedakakani Mandal also informed that one Mallareddy supplied 240 bags of Camel bleaching powder, 900 bags Lime and 3000 Lts., Sodium Hypochlorite liquid to their Mandal. Bills were not given.

As per District Panchayat Officer's office file, note file was circulated to the District Collector regarding Calcium Hypochlorite Granules from Rayalaseema Histrength Hypo Ltd., Kurnool. District Administration opted for Calcium Hypochlorite Granules instead of Sodium Hydrochloride liquid. Steel cans of liquid Sodium Hydrochloride liquid were supplied to the Mandals. Anisha brand stable bleaching powder mfg. Rayalaseema Histrength Hypo Ltd., Kurnool though indent not placed by the district administration was also supplied to some Mandals by the District Panchayat Officer in lorries.

From the above discussion, it is pertinent to conclude that the District Panchayat Officer arranged supply of Nandi brand bleaching powder, Sodium Hypochlorite liquid, Anisha brand stable bleaching powder to Narasaraopet and Tenali Mandals (as per statements), for which orders were not obtained from the District Collector and one Sri Mallareddy on his own supplied the same Nandi brand bleaching powder, Sodium Hypochlorite liquid, Camel bleaching powder etc., to many of the Mandals for which he did not provide any bills to the MPDOs concerned.

District Panchayat Officer during enquiry on 24.05.2020 was asked to file written statement. Accordingly, he filed a statement and the salient details are as follows :

DPO has stated that the offer letter to Delight Chemicals dated 04.04.2020 got mixed up in the daily reports file and now he enclosed only a Xerox copy of it with regard to note approval for purchase of disinfectant powder from Delight Chemicals, District Panchayat Officer explained that District Collector issued orders on 06.04.2020 to purchase Calcium Hydroxide with Pine Oil, when Sodium Hypochlorite stocks are exhausted in view of scarcity of stocks in the Mandals, after obtaining indents from EOs, indent for Calcium Hydroxide with Pine Oil was placed. For not mentioning account number in the circular dated 22.04.2020, District Panchayat Officer informed that circular was primarily issued only to communicate the usage of Calcium Hydroxide with Pine Oil and Granules. Later, account number was communicated through another circular dated: 05.05.2020.

It is further reported that he never issued orders to the Panchayat Secretaries for purchase / supply of bleaching powder since his assuming charge as DPO in Guntur i.e., 27.09.2019. He clarified that indents for 254.36 Tons for Delight Chemicals of 57 Mandals were rationalized and tentative indent was placed by head office for 150 Tons. Out of it, Delight Chemicals supplied 114.775 Tons only, but not paid amount for the supplies. He informed that around Rs.167.63 Crores were released under 14th Finance Commission for 2018-19 second instalment and 2019-20 First and Second instalments to the Gram Panchayats. As submitted in the written statement, the District Panchayat Officer has not issued any orders for supply / purchase of bleaching powder to the EO, PRDs or Panchayat Secretaries since his joining in Guntur i.e., 27.09.2019.

But, as per the statements of MPDOs, Narasaraopet and Tenali bleaching powder, Sodium Hypochlorite liquid and other items were supplied to them

by the District Panchayat Officer. MPDOs of Pedakakani, Machavaram and Vinukonda filed in their statements that without any indents, one Sri Mallareddy approached them and expressed willingness to supply P.H. materials just as he supplied in other Mandals of Guntur. He has not even furnished the bills to the stocks delivered. Without any higher officials assurance, he might not have supplied sanitation materials to most of the Mandals voluntarily. Some of the village public complained against the bleaching powder supplied by Sri Mallareddy for its poor quality.

Sri Mallareddy was issued Memo dated 27.05.2020 to appear before the enquiry committee on 28.05.2020. He informed over phone on 27.05.2020 that presently he was in Prakasam District and agreed to appear before the Committee on 28.05.2020. But, on the day of enquiry, he sent a Whatsapp message informing that "he is suffering from severe stomach pain and fever and not in a position to attend before the Committee upto a period of one week and requested to consider the same".

It is further narrated that on the day of enquiry one Sri Srinivas, Panchayat Secretary of Edlapadu under deputation in the office of DPO, also accompanied the District Panchayat Officer. To all the queries raised by the Committee, Panchayat Secretary himself replied very confidently, instead of the officer. It is quite obvious that the DPO completely relied on him. It was informed that Panchayat Secretary, Edlapadu was taken on deputation at Head Office, Guntur during the General Elections, 2019. Still he is continued at the head office. It may be construed that the Panchayat Secretary, Edlapadu on deputation at head office might have actively participated in the activity of supply of sanitation material from head office.

If bleaching powders of the above mentioned firms were used to disinfect during COVID-19, the very idea of disinfection of streets and structures to safeguard the people against corona virus would be far from reality.

In the prevailing circumstances of the wide spread of COVID-19, to save the lives of the human beings, the Government of AP is very keen and the District Administration round the clock had been continuously monitoring the suspects of COVIDs in all the ways and in the same time several safety precautions are taken by the District Administration.

It is also narrated that necessary legal action may be initiated against Sri Mallareddy, who supplied sub-standard bleaching powder and kept the lives of human beings at risk and cheated the Government officials. It is also submitted that the Committee randomly picked up the samples and carried out lab testing and also recommended that the samples available in all Panchayats may be verified and other suppliers, if any, found guilty, suitable action may be taken against them.

The District Panchayat Officer in a selfish manner taken advantage in supplying bleaching powder without approval of the District Collector, that too, of poor quality.

Being a responsible Government servant he should take all precautions in safeguarding the lives of human beings. In contrary, the DPO is responsible for supply of sub-standard sanitation materials to some Mandals without approvals.

It is submitted that as per primary enquiry report submitted by Enquiry Committee consisting of team of officials it is revealed that the role of District Panchayat Officer, Guntur in procuring materials against to the District Collector's

orders is in contravention to the guidelines and procedure adopted for procuring material.

Thus, Sri D. Rambabu, District Panchayat Officer by above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a public servant and thereby violated Rule 3 of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI D. RAMBABU, DISTRICT PANCHAYAT OFFICER, GUNTUR (KEPT UNDER SUSPENSION) ARE PROPOSED TO BE SUSTAINED

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i. Adverse news items published in district edition of Eenadu Daily Edition, dated: 13.05.2020, Saakshi Daily Edition, dated: 13.05.2020, Andhra Jyothi Daily Edition, dated: 09.05.2020, 10.05.2020, 12.05.2020 and Andhra Prabha Daily Edition, dated: 13.05.2020.
ii. Enquiry committee report, dated: 29.05.2020.
iii. Report of the District Collector, Guntur in Rc.No.2140/2020-H7, dt.31.05.2020.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARICLES OF CHARGES FRAMED AGAINST SRI D. RAMBABU, DISTRICT PANCHAYAT OFFICER, GUNTUR (KEPT UNDER SUSPENSION) ARE PROPOSED TO BE SUSTAINED.

1. Sri V. Venkata Sivaiah, EO(PR&RD) & MPDO (FAC), Vinukonda.
2. Sri S.V.R. Seshagiri Rao, Panchayat Secretary, Machavaram Panchayat, Machavaram Mandal.
3. Sri C.H. Ravi Babu, EO(PR&RD), Machavaram Mandal.
4. Sri Y. Rajagopal, MPDO, Machavaram Mandal.
5. Sri P. Siva Subrahmanyam, EO(PR&RD), Pedakakani Mandal.
6. Sri Y. Hanuma Reddy, MPDO, Pedakakani Mandal.
7. Sri K. Sambasiva Rao, Panchayat Secretary, Namburu, Pedakakani Mandal.
8. Sri Sk. Nabi, Panchayat Secretary, Ravipadu, Narasaraopet Mandal.
9. Sri E. Busi Reddy, MPDO, Narasaraopet Mandal.
10. Sri K.V.R. Vijaya Kumar, EO(PR&RD), Narasaraopet Mandal.
11. Sri L. Vijaya Lakshman, MPDO, Tenali Mandal.
12. Smt. V. Vijaya Lakshmi, EO(PR&RD), Tenali Mandal.
13. Sri G. Vidya Sagar, Panchayat Secretary, Kolakaluru, Tenali Mandal.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER